

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

---

DARRYL BOYD; and  
JOHN WALKER, JR.,

Plaintiffs,

-vs-

THE CITY OF BUFFALO; THE COUNTY OF ERIE;  
MICHAEL G. GUADAGNO; JOHN MONTONDO; LINDA  
J. FIAL AS EXECUTOR FOR THE ESTATE OF ROBERT  
GRABOWSKI; and MARTIN BULLOCK AS EXECUTOR  
FOR THE ESTATE OF JAMES E. HUNTER,

Defendants.

---

**RULE 26 INITIAL  
DISCLOSURES**

Civil Action No.:  
1:22-cv-520

Civil Action No.:  
1:22-cv-519

Defendant, COUNTY OF ERIE, through its counsel, makes the following Initial Disclosures pursuant to Rule 26(a)(1) of the Federal Rules of Civil Procedure. Defendant reserves the right to amend, supplement or modify this disclosure as permitted by the Federal Rules of Civil Procedure and the local rules of the Western District of New York.

1. **Individuals Likely To Have Discoverable Information:**

- a. Former Assistant District Attorney Timothy Drury. Mr. Drury possesses information concerning Plaintiff's prosecution. Defendant is not currently in possession of contact information for this individual, but believes that he resides in Buffalo, New York.
- b. Former District Attorney Edward Cosgrove. Mr. Cosgrove possesses information concerning Plaintiff's prosecution. Defendant is not currently in possession of contact information for this individual, but believes that he resides in Buffalo, New York.

- c. Former Assistant District Attorney David Henry. Mr. Henry possesses information concerning Plaintiff's prosecution. Defendant is not currently in possession of contact information for this individual, but believes that he resides in Buffalo, New York.
- d. Former Assistant District Attorney James Verrastro. Mr. Verrastro possesses information concerning Plaintiff's prosecution. Defendant is not currently in possession of contact information for this individual, but believes that he resides in Buffalo, New York.
- e. William Howard. Mr. Howard is expected to possess information concerning events surrounding the murder of William Crawford. Defendant is not currently in possession of contact information for this individual, but reserves the right to supplement or amend this response.
- f. Tyrone Woodruff. Mr. Woodruff is expected to possess information concerning events surrounding the murder of William Crawford. Defendant is not currently in possession of contact information for this individual, but reserves the right to supplement or amend this response.
- g. Michael Guadagno. Upon information and belief, Mr. Guadagno, at all relevant times, was employed as a Detective by the Buffalo Police Department and is expected to possess information concerning the murder of William Crawford. Inasmuch as Mr. Guadagno is an individually named Defendant who was, at all

relevant times, an employee of defendant, City of Buffalo, he must be contacted through counsel.

h. Darryl Boyd. Mr. Boyd is expected to possess information concerning events surrounding the murder of William Crawford. Defendant is not currently in possession of contact information for this individual, but reserves the right to supplement or amend this response.

i. John Walker, Jr. Mr. Walker is expected to possess information concerning events surrounding the murder of William Crawford. Defendant is not currently in possession of contact information for this individual, but reserves the right to supplement or amend this response.

2. **Documents:**

a. The record(s) of the proceedings in *People of the State of New York v. Darryl Boyd and John Walker*, including but not limited to, the trial transcripts and the exhibits admitted therein and the subsequent Record on Appeal. An electronic copy of the trial transcripts is provided herewith [bates stamp numbers COE 1-1608]. Defendant is in the process of attempting to locate the trial exhibits as well as other records of proceedings and they will be provided as soon as practicable if and when they are located.

b. File materials from the Buffalo Police Department investigation provided to the Erie County District Attorney's Office in connection with the prosecution of Darryl Boyd and John Walker, including but not limited to witness statements, P-73s and other information.

Defendant is in the process of compiling the relevant materials and will provide them electronically as soon as practicable.

c. Erie County District Attorney's Office file materials related to the prosecution of Darryl Boyd and John Walker pursuant to Indictment 41-41313 and related proceedings. Defendant is in the process of compiling the relevant materials and will provide them electronically as soon as practicable.

d. Any and all materials filed in connection with legal proceedings initiated by or involving Darryl Boyd and John Walker which are publicly accessible.

In addition to the documents mentioned above, Defendant reserves the right to use documents that Defendant has in its possession and which have been, or will be, requested in Plaintiff's Requests for Production of Documents. Defendant also may use documents obtained in discovery from co-defendants, non-parties and/or Plaintiff.

3. **Damages:**

a. Defendant is not seeking damages.

4. **Insurance:**

a. Defendant is self-insured.

Defendant's disclosure is based on information obtained to date by diligent means. Defendant makes this disclosure without waiving, and subject to, (i) the protections accorded by the attorney work product doctrine; and (ii) the right to object to the admissibility at trial of any information contained or derived from this disclosure.

Defendant reserves the right to amend and/or supplement this disclosure.

Dated: Buffalo, New York  
October 14, 2022

**LIPPES MATHIAS LLP**

By: /s/ Jennifer C. Persico  
Jennifer C. Persico, Esq.  
Brian C. Mahoney, Esq.  
*Attorneys for Defendant, County of Erie*  
50 Fountain Plaza, Suite 1700  
Buffalo, New York 14202  
(716) 853-5100  
[jpersico@lippes.com](mailto:jpersico@lippes.com)  
[bmahoney@lippes.com](mailto:bmahoney@lippes.com)